

REMARKS

Claims 1-21 and 25 are pending in the present application, with claims 1, 15, 19, 20 and 25 having been amended herein.

Claims 1-5, 8 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,818,084 ("Tamburini"). Applicant respectfully traverses this rejection and submits that independent claims 1 and 15 are not anticipated by Tamburini for at least the reasons set forth below.

Applicant respectfully submits that Tamburini does not teach at least the following:

- "a plurality of support stubs with each support stub attached to one of a plurality of respective vertical steel columns of a structure under construction, wherein the basket rests on the support stubs", as recited in amended claim 1; and
- "a plurality of first support stubs with each first support stub mounted to one of a plurality of respective vertical steel columns of a structure under construction, wherein each first outrigger foot rests on a respective first support stub", as recited in amended claim 15.

The Office Action relied on supporting bars 12 on the masts 2 for teaching a plurality of support stubs. Supporting bars 12, however, are attached to masts 2 which is part of the crane itself and hence are not a plurality of support stubs attached to or mounted to a structure under construction, as set forth in amended claims 1 and 15.

Accordingly, Applicants respectfully request that the rejection of amended independent claims 1 and 15 be withdrawn.

Claims 2-5 depend from and further limit claim 1, and for at least the reasons stated above in connection with claim 1, are believed to not be anticipated by Tamburini.

Claims 1, 2, 7, 19 and 20 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,998,029 ("James et al."). Applicant respectfully traverses this rejection and submits that independent claims 1, 19 and 20 are not anticipated by James et al. for at least the reasons set forth below.

Applicant respectfully submits that James et al. does not teach at least the following:

- "a plurality of support stubs with each support stub attached to one of a plurality of respective vertical steel columns of a structure under construction, wherein the basket rests on the support stubs", as recited in amended claim 1;
- "a plurality of first outriggers attached to corners of the first basket and spaced apart from each other, each first outrigger having a foot; and a plurality of first support stubs with each first support stub mounted to one of a plurality of respective vertical steel columns of a structure under construction, wherein each foot rests on and is in compression with a respective first support stub", as recited in amended claim 19; and
- "a plurality of lower support stubs with each lower support stub mounted to one of a plurality of respective vertical steel columns of a structure under construction", as recited in amended claim 20.

Father, James et al. teaches bracket 42 being secured to column 12 and bracket plates 44 secured to the ends of cross beams 36, 38. Pin 40 extends through aligned bores provided in bracket 42 to join bracket 42 to bracket plates 44. *See* Col. 3, lines 25-36. Bracket 42 is not a support stub attached or mounted to one of a plurality of vertical steel columns, as recited in claims 1, 19 and 20. Further, bracket plates 44 taught in James et al. do not rest on support stubs, as recited in claim 1, and each of the bracket plates 44 is not a foot which rests on and is in compression with a support stub, as recited in claim 19.

Accordingly, Applicant respectfully requests that the rejection of amended independent claims 1, 19 and 20 be withdrawn.

Claims 2 and 7 depend from and further limit claim 1, and for at least the reasons stated above in connection with claim 1, are believed to not be anticipated by James et al.

Claims 1, 2, 4, 5, 8, 15, 19-21 and 25 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,217,896 ("Cannella"). Applicant respectfully submits that independent claims 1, 15, 19-21 and 25 are not anticipated by Cannella for at least the reasons set forth below.

Applicant respectfully submits that Cannella does not teach at least the following:

- "a plurality of support stubs with each support stub attached to one of a plurality of respective vertical steel columns of a structure under construction, wherein the basket rests on the support stubs", as recited in amended claim 1;
- "a plurality of first support stubs with each first support stub mounted to one of a plurality of respective vertical steel columns of a structure under construction", as recited in amended claim 15;
- "a plurality of first support stubs with each first support stub mounted to one of a plurality of respective vertical steel columns of a structure under construction", as recited in amended claim 19;
- "a plurality of lower support stubs with each lower support stub mounted to one of a plurality of respective vertical steel columns of a structure under construction", as recited in amended claim 20;

- “a plurality of support holes disposed on columns of the concrete structure with each support hole receiving a respective outrigger foot”, as recited in claim 21; and
- “the basket rests on the first stub member and the second stub member of each of the plurality of support stubs”, as recited in amended claim 25.

Further, Cannella teaches that when the framework to be erected for a building is made of structural steel, the cross beams are used to support a crane as opposed to vertical steel columns. *See, e.g.*, Col. 5, line 68-70 and Col. 15, lines 11-39. Applicant has amended independent claims 1, 15, 19 and 20 to recite vertical “steel” columns. Applicant also respectfully submits that Cannella teaches away from a plurality of support stubs with each support stub attached to or mounted to one of a plurality of respective vertical steel columns of a structure under construction, as recited in amended claims 1, 15, 19 and 20.

Furthermore, Cannella teaches that during pouring of the concrete for the columns two sleeves 662, 664 are located in the poured concrete for mounting and supporting bracket 645A, 645B. Bolts 665 are inserted through a back plate of bracket 645A, 645B and through sleeves 662, 664. *See* Col. 19, lines 9-19. Outrigger beams 640A, 640B are supported on the brackets 645A, 645B attached to the concrete columns. *See* Col. 19, lines 20-22. Therefore, Cannella does not teach “a plurality of support holes disposed on columns of the concrete structure with each support hole receiving a respective outrigger foot”, as recited in claim 21. Instead, Cannella teaches concrete columns receiving bolts 665.

Regarding independent claim 25, the Office Action indicated that Cannella teaches a vertical member 648 and a horizontal member 650. Applicant has amended claim 25 to recite that “the basket rests on the first stub member and the second stub member of each of the plurality of support stubs”. As noted above, Cannella teaches that outrigger beams 640A, 640B

are supported on the brackets 645A, 645B attached to the concrete columns. The outrigger beams 640A, 640 B, however, appear to be supported by horizontal member 650 and not vertical member 648 which is a back plate bolted to the concrete columns. *See* Col. 19, lines 1-5.

Accordingly, Applicant respectfully requests that the rejection of independent claims 1, 15, 19-21 and 25 be withdrawn.

Claims 2, 4, 5 and 8 depend from and further limit claim 1, and for at least the reasons stated above in connection with claim 1, are believed to not be anticipated by Cannella.

Claims 1, 2, 4 and 19 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,757,592 ("Reed"). Applicant respectfully traverses this rejection and submits that independent claims 1 and 19 are not anticipated by Reed for at least the reasons set forth below.

Applicant respectfully submits that Reed does not teach at least the following:

- "a plurality of support stubs with each support stub attached to one of a plurality of respective vertical steel columns of a structure under construction, wherein the basket rests on the support stubs", as recited in amended claim 1; and
- "a plurality of first support stubs with each first support stub mounted to one of a plurality of respective vertical steel columns of a structure under construction, wherein each foot rests on and is in compression with a respective first support stub", as recited in amended claim 19.

The Office Action relied on pins 46, 48, 52 for teaching a plurality of support stubs and interior legs 40, 42 of column portion 20, 22 as a plurality of respective vertical columns of a structure under construction. Interior legs 40, 42, however, are part of the crane itself. *See, e.g.*, Col. 2, lines 21-53.

Accordingly, Applicants respectfully request that the rejection of independent claims 1 and 19 be withdrawn.

Claims 2 and 4 depend from and further limit claim 1, and for at least the reasons stated above in connection with claim 1, are believed to not be anticipated by Reed.

Allowable Subject Matter

Claims 9-14 and 16-18 were objected to as depending from rejected claims but would be allowable if rewritten in independent form including all of the limitations of the base claim and the intervening claims. Applicant respectfully defers its decision whether to amend these claims accordingly, as Applicant submits herein that the independent claims are patentable over the art of record.


This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. The claims, in view of the foregoing explanation, are believed to be patentable over the prior art, and a favorable Office Action is hereby earnestly solicited.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Examiner is requested to telephone the number provided below.

Respectfully submitted,

Date: October 8, 2004

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